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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,658	06/15/2001	Michael J. Pallett	32688.0004	8511
7590	01/30/2004		EXAMINER	
R. Kent Roberts Hodgson Russ LLP Suite 2000 One M&T Plaza Buffalo, NY 14203-2391			TRAN, MYLINH T	
			ART UNIT	PAPER NUMBER
			2174	
			DATE MAILED: 01/30/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/882,658	PALLETT ET AL.
Examiner	Art Unit	
Mylinh T Tran	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 15 June 2001.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-74 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-74 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .

4) Interview Summary (PTO-413) Paper No(s). ____ .
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-74 are rejected under 35 U.S.C. 102(e) as being anticipated by Weitz [US. 6,445,682].

As to claims 1, 14, 17, 23, 35, 65 and 69, Weitz discloses providing a list of one or more action signal icons ("an animated icon, caller ID information may include one or more icons the clicking of which causes the call to be answered..."), each action signal icon corresponding to an action signal that may be provided; selecting at least one of the action signal icons to indicate a selected action signal; and associating the trigger signal with the selected action signal (column 18, line 37 through column 19, line 20) (the caller desires to speak with the system operator, the caller presses the call button by the step of clicking (trigger signal) on the station, in response to the pressing, the trigger signal maybe sent to the

controller then the controller identifies an associated action signal by causing the call to be answered).

As to claims 2, 4, 24, 45 and 52, Weitz teaches the communications system being an intercom system (column 5, lines 60-67, the system of Weitz is an intercommunication system).

As to claim 3, Weitz also discloses the communications system includes a user communication device capable of providing a trigger signal (column 18, lines 45-50 "a call may come in through WAN services network and be directed to a main telephone number, which may be designated to be forwarded to a telephone associated with a person running the office attendant type program").

As to claims 5, 25, 46 and 53, Weitz teaches the communications system being a paging system (column 37, lines 55-61 and column 48, lines 18-33).

As to claims 6, 26, 47 and 54, Weitz also teaches the communications system being telephone system (column 2, lines 50-63).

As to claims 7, 27, 48 and 55, Weitz shows the communications system being a conference system (column 16, line 65 through column 17, line 23).

As to claims 8, 28, 49 and 56, Weitz also shows the communications system being a media retrieval system (column 34, lines 51-60).

As to claims 9, 29, 50 and 57, Weitz provides the communications system being a time tracking system (column 6, lines 45-55 and column 11, lines 7-30).

As to claims 10, 30, 51 and 58, Weitz also provides the communications system is an event tracking system (column 38, lines 31-53).

As to claims 11, 32, 59, 62 and 70, Weitz demonstrates the list of one or more action signal icons being provided via a monitor (column 18, lines 37-43 "Such windows may include, for example, an animated icon, caller ID information....").

As to claims 12, 33, 60, 63 and 71, Weitz also demonstrates the list of one or more action signal icons is provided using a graphical user interface (column 15, lines 53-60).

As to claims 13, 34, 61 and 64, Weitz discloses selecting at least one of the action signal icons includes moving an identifying icon displayed on the monitor until the identifying icon coincides with one of the action signal icons (column 18, lines 36-50) (A mouse may be used to control the position of the identifying icon on the monitor, and when the identifying icon coincides with a desired action signal icon, the mouse is clicked).

As to claim 15-16 and 36-37, Weitz also discloses the trigger signal and action signal being a serial message (column 14, lines 22-32 and column 16, line 65 through column 17, line 5).

As to claims 18, 39, 66 and 72, Weitz shows identifying a device portion associated with the provided trigger signal and formatting the selected action signal to include the device portion of the provided trigger signal (column 18, line 36 through column 19, line 20, "a call may come in through WAN services network and be directed to a main telephone number, which may be designated to be forwarded to a telephone associated with a person running the office attendant type program").

As to claims 19, 20, 40, 41, 67, 68 and 73-74, Weitz also shows determining whether the provided trigger signal includes a place/end string; determining

whether a line of communication is open; if it was determined that the provided trigger signal includes a place/end string and a line of communication is open, closing the line of communication Column 19, lines 50-67, call party/existing call).

As to claims 21 and 42, Weitz teaches the trigger signal being provided by the user communication device (column 2, lines 55-63 and column 6, lines 55-65).

As to claims 22 and 43, Weitz also teaches the action signal being provided to a programmable logic controller (column 2, lines 38-47).

As to claim 31, Weitz provides the controller being a computer (column 2, lines 38-55).

As to claim 44, the claim is analyzed as previously discussed with respect to claims 1 and 23.

Conclusion

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

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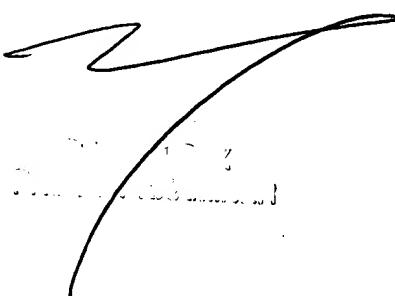
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640, All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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A handwritten signature in black ink, appearing to read "Mylinh Tran", is positioned above a typed name and address. The signature is fluid and cursive, with a large, sweeping flourish on the right side.